



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager (860)441-6630

Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets

Tuesday, July 21, 2009

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

Groton 4th of July Parade Awards

Recess for Public Hearing on:

2009-0159 Sandy Hollow Road Alterations - Leuba Property

Referral

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

a. Approval of Minutes

2009-0174 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

L&M Stroke Support Group - \$200.00 - Parks and Recreation Revolving

Pizzetta, LLC - \$1,250 - Parks and Recreation Revolving

Groton Utilities Matching Funds - \$41.75 - Groton Utilities Energy Assistance Program

George Marshall - \$100.00 - Social Services Discretionary

b. Administrative Items

2009-0182 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of July 7, 2009 are hereby accepted and approved.

c. Deletions from the Town Council Referral List

2009-0169 Climate Showcase Communities Grant Program

Referral

2009-0125 Eastern Point School Property Lease

Referral

2009-0168 Bodenwein Public Benevolent Foundation Grant - Arts
Cafe Mystic

Referral

2009-0170 Creation of Boating Advisory Board

Referral

2009-0177 Equipment Donation to Friends of Fitch Crew, Inc.

Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors**
- b. Clerk of the Representative Town Meeting**
- c. Clerk of the Council**
- d. Town Manager**
- e. Town Attorney**

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Brown-Tracy**
- b. Economic Development - Chairman Flax**
- c. Education/Health & Social Services - Chairman Kolnaski**
- d. Environment/Energy - Chairman Sheets**
- e. Finance - Chairman Schmidt**
- f. Personnel/Appointments/Rules - Chairman O'Beirne**
- g. Public Safety - Chairman Monteiro**
- h. Public Works/Recreation - Chairman Antipas**
- i. Committee of the Whole - Mayor Watson**

IX. UNFINISHED BUSINESS**X. NEW BUSINESS**

2009-0125 Eastern Point School Property Lease

Referral

RESOLUTION APPROVING A LEASE OF THE EASTERN POINT SCHOOL PROPERTY TO LEARN

WHEREAS, recent construction of new schools has left the Town of Groton with properties that are currently unused, including the Eastern Point School, located on Shennecossett Road in the City of Groton, and

WHEREAS, the Town Council deems it to be the best use of that property, and to be in the long term interest of the Town's taxpayers, that the Town retain ownership of the property as a municipal asset and for possible future civic purposes, and

WHEREAS, LEARN, an educational agency sanctioned by the State of Connecticut, has obtained full funding and authorization to construct a regional magnet high school for Marine Studies, and LEARN desires to locate such school in the Town of Groton, and

WHEREAS, leasing the Eastern Point property to LEARN at a nominal rent could also allow for other, concurrent use of some part of the property for the public benefit, and

WHEREAS, LEARN is to take responsibility for razing and removing the existing structure, which is no longer of any use to the Town of Groton, and

WHEREAS, the Town Council referred the issue of leasing this property to the Groton Planning Commission, pursuant to CGS 8-24, said Planning Commission now having returned a favorable

recommendation to the Town Council, and

WHEREAS, the Town Council and the Town Attorney have reviewed the terms of a proposed lease of the Eastern Point property to LEARN for an initial period of thirty (30) years, with renewal options for two successive terms of twenty (20) years, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger is now duly authorized to execute the lease described above.

Legislative History

5/6/2009 Mayor Referred Town Council Committee of the

5/12/2009 Town Council Committee of the Whole Discussed

(This item was considered out of agenda order.) Town Manager Oefinger explained that the draft lease has been reviewed by the Town Attorney. The purpose of having this item on the agenda is to make sure that the general terms and conditions are acceptable to the Town Council. The Manager reminded the Council that they had the option of entering into executive session.

5/12/2009 Town Council Committee of the Whole Motion

to enter executive session at 6:20 p.m. to discuss 2009-0125 Eastern Point School Property Lease, and to invite the Town Manager to attend

5/12/2009 Town Council Committee of the Whole Discussed

The executive session concluded at 7:12 p.m.

Town Manager Oefinger reviewed the Town Attorney's comments on the draft lease, noting a number of items be clarified such as what the property will be used for; the length of the lease (50 years); the terminology in Section 17 b.; identification of the parcel in parts; the construction schedule; and the number of seats for Groton residents.

Doreen Marvin from LEARN addressed the issues raised by the Town Attorney. She noted that LEARN's proposal is to construct a Marine Science High School that includes three curriculum strands - marine technologies (on- and off-site); marine aquaculture (on-site); and marine science and environmental stewardship (on- and off-site).

The length of the lease was initially proposed at 99 years, but was reduced to a random number of 50. LEARN would be comfortable with a lower number with renewal options. The state requires a 20-year minimum lease and commitment to use the facility as a school.

Ms. Marvin will ask LEARN's attorney to look at the language in 17 b. and to address the Town Attorney's comments.

With respect to parcel identification, designating Parcel A and Parcel B was a way to identify the non-school related property that will not be developed in association with the high school, but LEARN has no objection to addressing the issue. LEARN's construction schedule is ambitious. The goal is to have students in the building in September 2011, which creates a tight time frame considering the regulatory procedural requirements. It is anticipated that the State Department of Education will review the plans in late June.

Ms. Marvin anticipates that when the school is fully operational, there will be 250 students. Magnet school legislation requires a governance agreement and individual towns' boards of education determine how many seats they will support. The governance agreement seats are filled with a lottery system. Then, an additional lottery is held for parent choice seats if any are seats left. The specific goals of a magnet school require the right number of children from the right districts to create a racial and ethnic balance. The best guess for Groton is that there will be at least 10 seats available; however, the Board of Education can choose to support fewer seats. "Support" from Groton includes transportation and tuition payments.

Discussion followed on potential conflicts between a proposed geothermal system and other potential uses on Parcel B.

6/23/2009 Town Council Committee of Discussed
the Whole

Town Manager Oefinger explained that the attorneys for the Town and LEARN are still working on the draft lease. The Manager expects to have it available for review with the Council at a special meeting or the next Committee of the Whole meeting.

7/14/2009 Town Council Committee of Discussed
the Whole

The Town Manager distributed a revised lease to the Council and explained the option to enter into executive session. The \$1.00 per year lease has a 30-year term with two 20-year extension options. In exchange, LEARN will demolish the existing building (estimated to cost around \$1 million) and construct a new building. The upper plateau will be available for recreational use for the foreseeable future.

Town Attorney Eric Callahan and the Town Manager reviewed the substantive changes to the proposed lease since the last draft and provided an overview of the attachments. Jean-Paul LeBlanc of LEARN addressed a question regarding students driving to the site and discussion followed on parking and the number of attendees from Groton.

7/14/2009 Town Council Committee of Recommended for a
the Whole Resolution

2009-0168

**Bodenwein Public Benevolent Foundation Grant - Arts
Cafe Mystic**

Referral

RESOLUTION AUTHORIZING APPLICATION FOR A BODENWEIN GRANT FOR THE ARTS
CAFÉ-MYSTIC

WHEREAS, for fifteen years the Arts Café-Mystic has been a popular program that provides live performances by writers and musicians, supports the local writing community, and gives scholarships to student writers at local high schools, and

WHEREAS, the Arts Café-Mystic has received grants from the Bodenwein Public Benevolent Foundation for many years, allowing the Town of Groton's Department of Parks and Recreation to administer the Arts Café performances, now therefore be it

RESOLVED, that the Town Manager may apply for and accept a Bodenwein Foundation grant of \$5,000 for the grant period covering Fall 2009 and Spring 2010.

Legislative History

6/19/2009 Mayor Referred Town Council Committee of tl

7/14/2009 Town Council Committee of Discussed
the Whole

Jerry Lokken noted that this is a request to apply for a grant in the amount of \$5,000 for the Mystic Arts Café.

7/14/2009 Town Council Committee of Recommended for a
the Whole Resolution

2009-0170

Creation of Boating Advisory Board

Referral

RESOLUTION ESTABLISHING A BOATING ADVISORY BOARD

WHEREAS, Groton Parks and Recreation has for many years provided boating-related facilities and numerous programs to the public, and

WHEREAS, Groton Parks and Recreation staff has solicited the views of experts and users of boating recreation programs, and

WHEREAS, the Groton Parks and Recreation Commission has endorsed the formation of a Boating Advisory Board, and

WHEREAS, the Town has successfully worked with its Golf Advisory Board in a similar role for several years, and

WHEREAS, it is intended that the Boating Advisory Board will collaborate with Parks & Recreation staff, under the direction of the Groton Parks and Recreation Commission, and

WHEREAS, the Town Council has reviewed the initial bylaws of the proposed Boating Advisory Board, now therefore be it

RESOLVED, that the Town Council authorizes the formation of a Boating Advisory Board and approves their initial bylaws, with the understanding that future changes in the bylaws of the Boating Advisory Board will be subject to approval of the Parks and Recreation Commission and will not require Town Council action.

Legislative History

6/22/2009 Mayor Referred Town Council Committee of the

7/14/2009 Town Council Committee of the Whole Discussed

John Silsby, Director of Parks and Recreation, noted that the department solicits comments from the public to strengthen its programs. This request is to establish a more formalized Boating Advisory Board. Jerry Lokken noted that the boating stakeholders, the "Board of Advocates", are long-time program participants. This effort attempts to clarify the scope and responsibilities of the group. Members would be appointed by the Parks and Recreation Commission. Discussion followed on the bylaws. The Board will be governed by the initial bylaws, which can be amended in the future by the Parks and Recreation Commission.

7/14/2009 Town Council Committee of the Whole Recommended for a Resolution

2009-0177 Equipment Donation to Friends of Fitch Crew, Inc. Referral

RESOLUTION AUTHORIZING A DONATION OF TOWN OWNED EQUIPMENT

WHEREAS, there is more demand for boating activities, such as rowing, than can be directly provided by staff of the Parks and Recreation Department, and

WHEREAS, the Friends of Fitch Crew (FOFC) is a 501(c)(3) organization wishes to enter into an agreement with Parks and Recreation whereby FOFC would provide rowing programs including sweep rowing programs, and

WHEREAS, FOFC would carry on rowing programs with its own equipment and additional equipment that it is seeking as a donation from the Town, and

WHEREAS, FOFC has the stability and resources to assure that equipment currently owned by the Town of Groton will continue to be used in sweep rowing programs at Spicer Park, and

WHEREAS, in the event that FOFC ceases to provide the programs desired by Parks and Recreation, any donated equipment that remains would be returned to the Town, now therefore be it

RESOLVED, that the Town Council hereby approves the donation of a Boston Whaler boat with associated equipment, a rowing shell trailer, and a quantity of life jackets currently owned by the Town to Friends of Fitch Crew, Inc.

Legislative History

7/8/2009 Mayor Referred Town Council Committee of the

7/14/2009 Town Council Committee of the Whole Discussed

Jerry Lokken described the request to donate rowing equipment to the Friends of Fitch Crew, Inc., a non-profit organization. General fund contributions to the Town's boating programs were eliminated in the FYE 10 budget. The Friends of Fitch Crew, Inc. will be acting as a "contractor" for the Town and will provide the coaches and equipment, while the Town provides the program participants.

7/14/2009	Town Council Committee of the Whole	Recommended for a Resolution	
2009-0178	Adoption of Ordinance on Thames Street Rehabilitation Project		Referral

XI. OTHER BUSINESS

XII. ADJOURNMENT